IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 22056 of 2004

Between:

Garapati Raja Ratnam S/o.Prakasham
Munipalle Village, Ponnur Mandal, Guntur District.

..... PETITIONER

AND

1 The Joint Collector, Guntur, Guntur District.
2 The Revenue Divisional Officer Tenali, Guntur District.
3 The Mandal Revenue Officer, Ponnur Mandal, Ponnur, Guntur District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent in not disposing of the appeal pending before him in file No.25/2004-S7, which was filed against the order of suspension passed by the 2nd respondent in Rc.1644/2003/K dt.16.6.2004, is illegal, arbitrary, improper and against the principles of natural justice..

Counsel for the Petitioner:MR.K.SRINIVAS

Counsel for the Respondents 1 to 3: GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following :

ORDER:

Petitioner is a Fair Price Shop Dealer of Munipalle Village, Ponnur Mandal, Guntur District. Through proceedings, dated 16.06.2004, 2nd respondent suspended the same on the allegation that the petitioner has resorted to certain irregularities. Aggrieved by the same, petitioner preferred an appeal before the 1st respondent together with an application for grant of interim orders. Through order, dated 27.09.2004, 1st respondent rejected the application for stay. Hence, this writ petition.

Heard the learned counsel for the petitioner and the learned Government pleader for Civil Supplies.

A perusal of the order, dated 16.06.2004, discloses that on receiving information about irregularities in the matter of distribution of essential commodities, inspection was conducted and the available quantity of essential commodities was seized. The proceedings are initiated under Section 6-A of the Essential Commodities Act. Though the 1st respondent has not assigned any reasons while rejecting the application for grant of stay, this Court is not inclined to permit the petitioner to function as fair price shop dealer, particularly when stocks were seized from her. The 1st respondent is required to expedite the hearing of the appeal.

Hence, the writ petition is disposed of directing the 1st respondent to expedite the hearing of the appeal, and pass appropriate orders therein, as early as possible, not later than two months from the date of receipt of a copy of this order. There shall be no order as to costs.

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L.NARASIMHA REDDY, J

Dated : 1st December, 2004

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To

1 The Joint Collector, Guntur, Guntur District.
2 The Revenue Divisional Officer Tenali, Guntur District.
3 The Mandal Revenue Officer, Ponnur Mandal, Ponnur, Guntur District.

4 2 CCS to the G.P. for Civil Supplies, High Court of A.P., Hyderabad (OUT).

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